



Interview Summary: Staff Sergeant John Ferguson (Ottawa Police Service)

Staff Sergeant John Ferguson was interviewed by Frank Au, Mark Pritchard, Eric Brousseau, and Misha Boutilier on September 8, 2022. Questions about this summary should be directed to Frank Au.

Background

Background on Staff Sergeant Ferguson

Staff Sergeant Ferguson began his policing career in 1995 at the Ontario Provincial Police (**OPP**) and joined the Ottawa Police Service (**OPS**) in 1999. In his career at OPS, he held frontline investigative positions, conducted internal investigations, worked on an OPS change management project, ran OPS's domestic violence unit, and worked in the robbery and break and entry unit. He has been part of OPS's crisis negotiation unit since 2005, and he teaches crisis negotiations at the Canadian Police College. He has also worked with OPS's Police Liaison Team (**PLT**),¹ though not as a team lead. His spouse is OPS Acting Deputy Chief Patricia Ferguson.

Staff Sergeant Ferguson became familiar with the incident command triangle model during his involvement with critical incidents and crisis negotiations at OPS. Under that model, the Critical Incident Commander (**CIC**) serves as the operational decision-maker and receives advice from two subject matter experts, the tactical commander and the negotiation team leader. Staff Sergeant Ferguson is not certified as an incident commander.

Background on OPS Police Liaison Team

Staff Sergeant Ferguson stated that OPS had 14 PLT members assisting with the Freedom Convoy. Two sergeants, Louis Carvalho and Phong Le, were the senior members of the OPS PLT. By the time of the Freedom Convoy, many senior, experienced OPS commanders who were knowledgeable about the role of PLT had retired or left the force.

Staff Sergeant Ferguson stated that, prior to the Freedom Convoy, none of OPS's PLT members served on a full-time basis. Instead, every PLT member had an additional task. For instance, Sergeants Carvalho and Le performed PLT responsibilities part-time in addition to their responsibilities in the Special Events and community policing units, respectively. PLT members shifted to PLT work on a full-time basis when a need arose. During the Freedom Convoy, the PLT members dedicated their time to their PLT work.

¹ OPP's Provincial Liaison Team is the equivalent of OPS's Police Liaison Team. For the purposes of this interview summary, PLT refers to either or both the OPS Police Liaison Team or the OPP Provincial Liaison Team, depending on the context.



Staff Sergeant Ferguson stated that, before the Freedom Convoy arrived in Ottawa, OPS PLT members had received training from the Ontario Provincial Police (**OPP**) on the Canadian Association of Chiefs of Police National Framework for Police Preparedness for Demonstrations and Assemblies (**National Framework**).² Nineteen PLT members received OPP training in September 2021, and four additional PLT members received it at an earlier date.

Pre-Arrival Period: Command Structure, Planning, and PLT Role

Staff Sergeant Ferguson stated that Superintendent Chris Rheaume served as OPS's initial major incident commander (**MIC**) and was serving in that role when the Freedom Convoy arrived in Ottawa. Staff Sergeant Ferguson also stated that Inspector Russell Lucas served as OPS's initial incident commander and established his command post in the National Capital Region Command Centre (**NCRCC**). Staff Sergeant Ferguson was not involved with Superintendent Rheaume during the Freedom Convoy.

Staff Sergeant Ferguson was familiar with the operational plan titled "Freedom Convoy – Canada Unity," dated January 29, 2022. He stated that under that plan, Sergeant Carvalho was designated the initial PLT team lead and was to report to the operations chief, Staff Sergeant Kevin Kennedy. Staff Sergeant Ferguson also stated that the Pre-Arrival Plan contained the following mission statement:

The Ottawa Police Service, in a collaborative approach with other police agencies, federal, provincial and city partners, community organizations and the event organizers will provide a safe and secure environment in the City of Ottawa during the Freedom Convoy 2022 event. We will be placing an emphasis on proactive engagements through Police Liaison Teams to facilitate communication, de-escalations, and peaceful resolutions to rising incidents.

Staff Sergeant Ferguson is not aware if PLT engaged with Freedom Convoy participants or identified the convoy's leaders before the convoy's arrival in Ottawa.

Staff Sergeant Ferguson's Role between January 29 and February 1, 2022

Staff Sergeant Ferguson was deployed as part of OPS's initial response to the Freedom Convoy between January 29 and February 1. He was on roving foot patrol on January 29, served as part of the OPS Quick Response Team near the Canadian War Museum on January 30, and delivered briefings on Freedom Convoy deployments on February 1.

During this period, Staff Sergeant Ferguson perceived that OPS had adopted a positional mindset and was not embracing give-and-take negotiations with protestors. For instance, during the January 29-30 weekend, Staff Sergeant Ferguson spoke to a convoy

² COM00000665.



participant on the Sir John A. MacDonald Parkway who stated that the convoy vehicles on the parkway would open traffic if OPS permitted them to link up with the rest of the convoy vehicles downtown. When Staff Sergeant Ferguson shared this proposal with NCRCC, it rejected the proposal. NCRCC informed Staff Sergeant Ferguson that OPS would not show good faith to the protestors because the protestors had not shown good faith to OPS. Staff Sergeant Ferguson noted that OPS command was reluctant to agree to a protestor proposal unless protestors would do something to help OPS immediately. Staff Sergeant Ferguson commented that while protestors might not act immediately, OPS could still obtain positive action by protestors later.

[Appointment as PLT Team Lead](#)

On February 2, Staff Sergeant Ferguson became the OPS PLT team lead. He met with Sergeants Carvalho and Le at 10:30 a.m., and they briefed him on events to that point.³ Staff Sergeant Ferguson also explained to Sergeants Carvalho and Le the principles that should guide PLT's work, including the following principles (1) positive police actions and positive subject actions, (2) reciprocity, and (3) consistency of commitment. Staff Sergeant Ferguson stated that the positive police actions are necessary to induce positive actions by protestors because people are inclined to reciprocate positive behaviour. He also stated that protestors are more likely to follow through with something that they have personally committed to do in discussions with PLT.

During his discussion with Sergeants Carvalho and Le, Staff Sergeant Ferguson determined that OPS command was not using PLT effectively. He learned that OPS command were not permitting PLT to operate according to the National Framework and were insisting that negotiations lead to immediate results (win – lose mentality). He also learned that OPS was not attempting to use as little force as necessary by exhausting PLT negotiations before resorting to enforcement. As the Freedom Convoy progressed, he realized that OPS did not have structures in place to support the role of PLT and that PLT lacked the autonomy to engage with protestors and make immediate on the ground decisions to shrink the footprint. He attributed OPS's failure to use PLT effectively to a lack of awareness at the executive and MIC level about the National Framework, as well as a lack of unified or integrated command.

[Assistance from OPP PLT](#)

Six to eight OPP PLT officers were already assisting the OPS PLT when Staff Sergeant Ferguson became team lead on February 2. OPP Inspector Marcel Beaudin, who had oversight responsibilities for OPP's PLT program, led the OPP team assisting OPS and was responsible for developing key messaging. Staff Sergeant Ferguson was in regular

³ Staff Sergeant Ferguson Notes (OPS00014568) at PDF p. 4.



contact with Inspector Beaudin throughout the Freedom Convoy. Staff Sergeant Ferguson respected OPP's experience at police liaison work.

Several non-commissioned OPP PLT officers also assisted OPS. OPP Sergeant Mike Acton, OPP's PLT coordinator for the West and Northwest Regions and a veteran of Caledonia and other long or protracted incidents involving PLT work, assisted OPS with PLT strategy. Sergeant Diana Hampson also assisted OPS PLT until she moved to NCRCC, where she served as the PLT link with the public order unit (**POU**) commanders there. As the Freedom Convoy's occupation of Ottawa progressed, OPP's provincial PLT coordinator, Staff Sergeant Giselle Walker, began assisting OPS along with Sergeant Gilles Lachance (OPP North East Region PLT coordinator).

Knowledge of and Advocacy for the National Framework

On February 4, OPS Staff Sergeant Mike Stoll provided Staff Sergeant Ferguson with the National Framework. Staff Sergeant Ferguson was not previously familiar with it. He digested the National Framework and stated that it became his guide for the remainder of the event. He stated that he and Inspector Beaudin shared the National Framework throughout OPS to improve awareness of it. Staff Sergeant Ferguson was not aware if Chief Peter Sloly was familiar with the National Framework.

Impact of Major Incident Commander Switches on PLT Role

OPS switched MICs three times during the Freedom Convoy. When Staff Sergeant Ferguson became PLT team lead on February 2, Superintendent Jamie Dunlop had replaced Superintendent Rheaume as MIC. On February 6, Superintendent Marc Patterson replaced Superintendent Dunlop at MIC, and on February 10 Superintendent Robert Bernier replaced Superintendent Patterson as MIC.

Staff Sergeant Ferguson observed that different MICs had different attitudes, and levels of understanding, towards the National Framework and PLT's role under that framework. For instance, he stated he met with Superintendent Dunlop during his tenure as MIC to discuss PLT strategy, and that Superintendent Dunlop understood and supported the National Framework. Staff Sergeant Ferguson mentioned that he had worked with Superintendent Dunlop in the past, and that Superintendent Dunlop was a trained negotiator and member of the OPS crisis negotiation team. When Superintendent Patterson replaced Superintendent Dunlop as MIC, Staff Sergeant Ferguson attempted to educate Superintendent Patterson about the National Framework. However, Superintendent Patterson was less receptive to the National Framework and did not employ the National Framework during his tenure as MIC. In contrast, Superintendent Bernier supported the National Framework after replacing Superintendent Patterson as MIC, as discussed in greater detail further below.



Role of Dr. Peter Collins and Consideration of Embedded Crisis Negotiators in PLT

On February 2, Superintendent Dunlop advised Staff Sergeant Ferguson that Dr. Peter Collins might contact him to help PLT negotiate with protestors. Staff Sergeant Ferguson did not know if Dr. Collins had contacted Superintendent Dunlop or vice versa. Staff Sergeant Ferguson knew Dr. Collins from the CIC and crisis negotiator courses at the Canadian Police College, as Dr. Collins lectured on mental health at those courses. Staff Sergeant Ferguson was aware that Dr. Collins was a mental health subject matter expert who numerous police agencies used as an advisor on critical incidents and negotiations.

Staff Sergeant Ferguson spoke to Dr. Collins 45 minutes after Superintendent Dunlop notified him of Dr. Collins's offer to assist. During the conversation, Staff Sergeant Ferguson provided Dr. Collins with background on PLT's engagement with Freedom Convoy participants and outlined some strategies. Dr. Collins indicated that he was willing to assist if required. Staff Sergeant Ferguson thought Dr. Collins's expertise might be useful because of the wide gamut of ideologies and views present among convoy participants. Staff Sergeant Ferguson noted that these ideologies included anti-vaccine sentiment, religious sentiment, and the desire to remove Prime Minister Justin Trudeau from office.

On February 3, Dr. Collins arrived in Ottawa. On February 4, he participated in a meeting with Superintendent Dunlop, Inspector Beaudin, and Sergeants Hampson, Carvalho, and Le concerning PLT strategies and planning for Ottawa. Between February 4-7 he provided input to PLT, advised PLT to embed crisis negotiators in its teams, and consulted with PLT on clearing Confederation Park. The rest of OPS PLT accepted Dr. Collins; Staff Sergeant Ferguson thought that he provided useful input. Staff Sergeant Ferguson thought Dr. Collins could be helpful if OPS began substantively negotiating with protestors. He observed that Dr. Collins also was an expert in matters other than negotiation, such as threat assessment.

OPP PLT members assisting OPS disagreed with Dr. Collins's proposal to embed crisis negotiators with PLT. Staff Sergeant Ferguson stated that he discussed this proposal with OPP Inspector Dave Springer who indicated that the OPP had a proven program, and he was unsure as to the role of negotiators. Inspector Springer further advised that the OPP had the experience and structure and the role of the PLT members went from beginning to end. Staff Sergeant Ferguson and Dr. Collins spoke with the OPP's provincial negotiation coordinator about the role of negotiators within PLT. The embedded negotiator proposal did not come to fruition.



PLT's Role in the Clearing of Confederation Park

On February 4 at 12:06 p.m., Staff Sergeant Ferguson's notes record "Phase 1 PLT plan approved by Inspector Lucas."⁴ Staff Sergeant Ferguson explained that Phase 1 of the PLT plan was the plan to use PLT to convince protestors to leave Confederation Park. He understood that there was pressure, including from the National Capital Commission (**NCC**), to remove the protestors occupying Confederation Park. He understood that if PLT engagement was not successful, then phase 2 of the plan contemplated NCC sending the protestors a letter directing them to leave. If phase 2 was unsuccessful, then phase 3 contemplated using POE officers to clear the park.

Staff Sergeant Ferguson stated that OPS and OPP PLT ultimately convinced protestors to leave the park. PLT worked with Algonquin elders, who provided PLT a letter requesting that protestors leave the park. On February 4, PLT provided that letter to protestors and scheduled a meeting between protest leaders, PLT, and the Algonquin elders. The meeting took place later that day, and the protest leaders stated that they would take the request to leave the park back to their members. PLT returned to Confederation Park on February 5 and continued to engage with protestors. The engagement succeeded and the protestors mostly left. By 12:37 p.m. on February 5, Staff Sergeant Ferguson's notes record, and he recalled, that Sergeant Le informed him that the protestors would begin taking down their encampment from the park.⁵ NCC subsequently fenced off the park and OPS brought in a flat-bed truck to remove the cookhouse that protestors had constructed on site.

PLT Attempts to Build on Success of Confederation Park Operation

Staff Sergeant Ferguson participated in two meetings with Chief Sloly on February 5. At 8:00 a.m. that day, Staff Sergeant Ferguson joined a briefing call in which he updated Chief Sloly that protestors had agreed to leave Confederation Park.⁶ Staff Sergeant Ferguson's notes record, and he recalled, that Chief Sloly stated: "continue to negotiate," "PLT doing a great job," "need more of them trained," and that he wanted a "full negotiation plan/strategy."⁷ At 9:30 a.m., Staff Sergeant Ferguson participated in another meeting with Chief Sloly.⁸ Staff Sergeant Ferguson asked Sergeants Carvalho and Le to join this call so that they could provide an informational document about PLT's work and a synopsis of that document to Chief Sloly.

On February 5 at 12:19 p.m., Sergeant Carvalho updated Staff Sergeant Ferguson that he and the OPP PLT liaison officer had met with convoy leaders and that convoy leaders

⁴ *Id.* at PDF p. 9.

⁵ *Id.* at PDF p. 16.

⁶ *Id.* at PDF p. 14.

⁷ *Id.* at PDF p. 15.

⁸ *Id.* at PDF p. 15.



had made an initial request to bring six port-a-potties into the downtown core.⁹ Staff Sergeant Ferguson understood that the convoy leaders in question represented 322 trucks and 35 block captains, and that they were willing to work with police. At the time, Staff Sergeant Ferguson thought that PLT was making progress and demonstrating that the National Framework worked.

On February 5 at 6:00 p.m., Staff Sergeant Ferguson advised the then-MIC, Superintendent Dunlop, of the convoy leaders' request for port-a-potties. Superintendent Dunlop advised Staff Sergeant Ferguson that he would send an email outlining the request to Chief Sloly, then-Deputy Chief Steve Bell, and Acting Deputy Chief Ferguson, who were then participating in an in camera meeting of the Ottawa Police Services Board. Staff Sergeant Ferguson understood from Superintendent Dunlop's response that he did not feel that he had the authority to approve the request. Deputy Chief Bell and Acting Deputy Chief Ferguson ultimately approved the request at 7:15 p.m., one hour and fifteen minutes after Staff Sergeant Ferguson first advised Superintendent Dunlop of it. Staff Sergeant Ferguson characterized the need to seek executive-level approval for small requests like this as emblematic of PLT's lack of autonomy. He noted that when protestors subsequently requested that OPS facilitate the pumping of the port-a-potties, he also required executive-level approval to proceed.

Coventry Road Operation & Its Impact on PLT's Work

Early in the afternoon of February 6, PLT officers attended the protest site at Coventry Road near the Raymond Chabot Grant Thornton Park and began negotiating with protestors there. At 2:29 p.m. on February 6, Staff Sergeant Ferguson spoke with Inspector Michael Marin concerning Coventry Road.¹⁰ Inspector Marin requested that PLT officers on scene at Coventry Road call him and provide an update. During the conversation, Staff Sergeant Ferguson learned that a public order operation might take place at Coventry Road that day. That was the first time he heard of the possible operation.

At 3:39 p.m. on February 6, Staff Sergeant Ferguson spoke with then-MIC Superintendent Patterson.¹¹ Staff Sergeant Ferguson informed Superintendent Patterson that the OPS corporate communications team had improperly released a tweet announcing fuel seizures without consulting PLT, which learned of the tweet through conversations with convoy participants who had seen it. On February 5, Staff Sergeant Ferguson agreed with the former MIC, Superintendent Dunlop, that media releases should be run past PLT before publication. Staff Sergeant Ferguson also understood that corporate communications was supposed to wait for better messaging from OPS's legal department before making announcements about fuel seizures. Superintendent Patterson indicated

⁹ *Id.* at PDF p. 16.

¹⁰ *Id.* at PDF p. 25.

¹¹ *Id.* at PDF p. 26.



that he had approved the tweet when it was presented to him on a morning call and that the mistake was “on him.”¹²

At 4:40 p.m. on February 6, Superintendent Patterson advised Staff Sergeant Ferguson that POE was going to Coventry Road and would be seizing fuel for evidentiary purposes.¹³ At that time, PLT had been at Coventry Road for at least two hours engaging with protestors. Staff Sergeant Ferguson informed Superintendent Patterson that PLT was negotiating with protestors and that they were compliant, but Superintendent Patterson indicated that he intended to proceed with the public order operation.

Staff Sergeant Ferguson attempted unsuccessfully to convince others in OPS not to proceed with the public order operation at Coventry Road. At 5:00 p.m., Inspector Marin reiterated Superintendent Patterson's direction to Staff Sergeant Ferguson that they did not want the fuel from Coventry Road to be displaced and that they were proceeding without warrant.¹⁴ At 5:10 p.m., Staff Sergeant Ferguson contacted Deputy Chief Bell and advised him that the enforcement operation would undermine PLT's negotiations, which had been proceeding for at least two hours.¹⁵ Staff Sergeant Ferguson informed Deputy Chief Bell that protestors were compliant. Shortly after the call ended, at 5:18 p.m., Deputy Chief Bell contacted Staff Sergeant Ferguson and informed him that he agreed with Superintendent Patterson's decision.¹⁶ Later that evening, Staff Sergeant Ferguson learned that Deputy Chief Bell supported Superintendent Patterson's decision because three convoy vehicles had left the Coventry Road site and were transporting fuel to supply protestors downtown.

Protestors were surprised by Superintendent Patterson's public order operation. Staff Sergeant Ferguson also indicated that OPS did not have sufficient resources to launch the operation and that protestors swarmed, surrounded, and video-taped officers during any attempt at enforcement.

Convoy leaders whom OPP PLT met with following the public order operation expressed concern that the police action could incite violence. OPP PLT informed Staff Sergeant Ferguson that convoy participants were concerned about a ticketing blitz and an increased police presence outside the hotel that convoy leaders were staying in. OPP PLT also informed him that convoy participants were experiencing fear and stress and were concerned that speakers at an Ottawa Police Services Board meeting that day were labeling convoy participants as domestic terrorists. OPP PLT told him that the convoy leaders indicated that a minority of convoy participants might be willing to fight.

¹² *Id.*

¹³ *Id.* at PDF p. 26.

¹⁴ *Id.* at PDF p. 27.

¹⁵ *Id.* at PDF p. 27.

¹⁶ *Id.* at PDF p. 28.



At 7:45 p.m. on February 6, Staff Sergeant Ferguson met with Chief Sloly, Deputy Chief Bell, Acting Deputy Chief Ferguson, Superintendent Patterson, and Superintendent Bernier to discuss the Coventry Road operation.¹⁷ At the meeting, Staff Sergeant Ferguson stated that the OPS tweet and the seizure of fuel had been done without consulting PLT and that both actions had adversely impacted PLT's efforts to build rapport and advance negotiations with protestors. He stated that he was not sure if the damage could be repaired, and he expressed concern that OPS was prioritizing enforcement over negotiations. Superintendent Patterson did not acknowledge during the meeting that his decision to launch the public order operation undermined PLT's work.

Staff Sergeant Ferguson indicated that OPS and OPP PLT were demoralized by the Coventry Road operation. The OPP PLT team was concerned that OPS was not following the PLT process properly and was jeopardizing the National Framework and the OPP PLT program. Staff Sergeant Ferguson understood that the OPP PLT team was ready to walk away. Staff Sergeant Ferguson observed that Superintendent Patterson launched the public order operation without exhausting negotiations, which was inconsistent with the appropriate use of PLT as part of the National Framework.

Staff Sergeant Ferguson also indicated that the Coventry Road operation had a significant negative impact on PLT's ability to engage with protestors. Protestors were agitated by the Coventry Road operation and believed that PLT had betrayed them. For instance, at 1:57 p.m. on February 7, Sergeant Le informed Staff Sergeant Ferguson that he had spoken with Tom Marazzo, one of the convoy leaders. Staff Sergeant Ferguson's notes record, and he recalled, that Sergeant Le informed him that Mr. Marazzo "indicated that if the police screw them again that there would be protests at/or shut down airport + 417."¹⁸ Staff Sergeant Ferguson observed that, notwithstanding the damage the Coventry Road operation caused to PLT's relationship with protestors, PLT had cultivated a sufficiently strong relationship that protestors continued to reach out to PLT following that operation.

[Appointment of Superintendent Drummond as PLT Representative](#)

At 4:33 p.m. on February 7, Superintendent Patterson informed Staff Sergeant Ferguson that Superintendent Robert Drummond would be serving as the POU and PLT representative and that Staff Sergeant Ferguson should contact Superintendent Patterson through Superintendent Drummond going forward. Staff Sergeant Ferguson indicated that Superintendent Patterson may have taken this step because the Coventry Road operation, as well as the concerns raised by Staff Sergeant Ferguson during the February 7 intelligence meeting, may have created a strain between them. Following this change in process, if Staff Sergeant Ferguson needed something from Superintendent

¹⁷ *Id.* at PDF p. 29.

¹⁸ *Id.* at PDF pp. 31-32.



Patterson, he would contact Superintendent Drummond, who would in turn seek approval from Superintendent Patterson.

Discussions Concerning Use of PLT to Support Intelligence and Investigations

On February 6 at 10:07 a.m., Staff Sergeant Ferguson spoke with OPS Inspector Kenneth Bryden, who was then overseeing the OPS Intelligence Directorate.¹⁹ Inspector Bryden requested that PLT assist him with a criminal investigation into activities at the Coventry Road protest site. Staff Sergeant Ferguson informed Inspector Bryden that, under the National Framework, it would be inappropriate for PLT to participate in investigations or intelligence gathering because such participation would negatively impact PLT's efforts to build rapport with protestors.

Staff Sergeant Ferguson was subsequently invited to join a February 7 9:00 a.m. intelligence and investigations meeting so that PLT could help identify investigative targets. Staff Sergeant Ferguson attended the meeting. He explained the National Framework and that, under it, it was inappropriate for PLT to perform investigative and intelligence work. OPP Superintendent Craig Abrams and Inspector Daniel Alakas, who also participated in the call, supported Staff Sergeant Ferguson's points and stressed that involvement in investigations and intelligence would negatively impact PLT's work and would have both national and international implications.

PLT Planning and Integration Efforts

On February 6 at 1:40 p.m., Staff Sergeant Ferguson met with Inspector Beaudin. Staff Sergeant Ferguson's notes of the meeting record the statement: "We need a plan."²⁰ Staff Sergeant Ferguson could not recall who made that statement, but he indicated that he and Inspector Beaudin agreed that OPS needed to adopt an integrated command with joint strategy and work locations. He identified two types of integration that were required: integration of PLT into the operational command, and integration between OPS and OPP. He noted that PLT required timely access to operational command to approve negotiation proposals to shrink the footprint. The OPS and OPP PLT teams were each reporting up their own chain of command, and he commented that it would have been preferable to establish an OPS-OPP integrated command earlier. Staff Sergeant Ferguson also observed that he thought that OPS needed a better PLT plan and to formalize that plan's role under OPS's overall operational plan. The OPS overall operational plan, commander's intent, and goal was unclear to him at the time.

Staff Sergeant Ferguson stated that Inspector Beaudin had developed a PLT plan by February 8. Staff Sergeant Ferguson provided Superintendent Drummond that PLT plan on February 8, and he was aware that Superintendent Patterson also received that PLT

¹⁹ *Id.* at PDF p. 23.

²⁰ *Id.* at PDF p. 25.



plan. Staff Sergeant Ferguson was not aware if the PLT plan was integrated into OPS's broader plan before Superintendent Bernier became MIC.

PLT Efforts to Clear the Rideau-Sussex Intersection

PLT engaged with protestors at the intersection of Rideau St. and Sussex Avenue to attempt to negotiate a movement of vehicles towards Wellington St. between February 7-10. Staff Sergeant Ferguson and PLT believed that relocating vehicles was desirable because it would shrink the protestor footprint, permit OPS to reopen the Rideau-Sussex intersection and several streets, allow for the reopening of the Rideau Centre, and facilitate easier access to a local hospital and its cancer treatment centre. However, he was aware that the City was concerned that relocating vehicles would place excessive weight on the Plaza Bridge near the National War Memorial. He also knew that Parliamentary Protective Service (**PPS**) was concerned about moving protestor vehicles near to the Senate of Canada building. PLT lacked the autonomy to move protestor vehicles from the Rideau-Sussex intersection to Wellington St. without OPS command approval, and that City and PPS concerns may have delayed OPS decision-making.

On February 7 at 1:57 p.m., Sergeant Le advised Staff Sergeant Ferguson that Mr. Marazzo wanted to meet with a City official and provided a noon deadline on February 8. Staff Sergeant Ferguson advised Superintendent Drummond of Mr. Marazzo's request that they wanted to meet with the City Manager or an elected official. On February 8, Mr. Marazzo and Keith Wilson, counsel to the Freedom Convoy leaders, met with City Manager Steve Kanellakos. Staff Sergeant Ferguson did not participate in this meeting; he merely facilitated it.

After the February 8 meeting, Mr. Marazzo, Mr. Wilson, and PLT went to the Rideau-Sussex intersection and attempted to convince protestor vehicles to move to Wellington St. At 5:39 p.m., as these efforts were ongoing, Superintendent Drummond advised Staff Sergeant Ferguson that OPS command had not approved the plan to relocate vehicles from the Rideau-Sussex intersection to Wellington St.²¹ Shortly thereafter, Mr. Marazzo, Mr. Wilson, and PLT ceased attempting to convince protestor vehicles to move because it became dark outside and there were officer safety concerns. PLT's engagement with protestors at the Rideau-Sussex intersection began to lose momentum because OPS command had not approved the plan.

Staff Sergeant Ferguson explained that approving the planned move should have been Superintendent Patterson's decision. Staff Sergeant Ferguson stated that Inspector Lucas told him that Superintendent Patterson conducted a necessity, risk effectiveness, and acceptability (**NRA**) analysis and determined that the move should not take place. Staff Sergeant Ferguson was unaware whether Superintendent Patterson or

²¹ *Id.* at PDF pp. 40-41.



Superintendent Drummond spoke with Chief Sloly about the plan and whether Chief Sloly disapproved the planned move.

Staff Sergeant Ferguson was aware that OPS was planning a public order operation to clear the Rideau-Sussex intersection, and that OPS had started adjusting officer shifts to assemble officers for the operation. On February 9 at 9:48 a.m., Staff Sergeant Ferguson told Superintendent Drummond that PLT could potentially open the intersection without force.²² He told him that protestors knew that OPS was planning to launch the public order operation on the morning of February 10 and that proceeding with the operation would be a huge officer safety risk.

On February 9, PLT, including Sergeant Le, re-engaged with protestors at the Rideau-Sussex intersection. At 11:27 a.m. that day, Sergeant Le advised Staff Sergeant Ferguson that the negotiations had lost momentum after the evening of February 8.²³ He also informed Staff Sergeant Ferguson that the protestors were requesting the ability to bring in food and fuel without fear of being arrested. At 11:50 a.m., Sergeant Le advised Staff Sergeant Ferguson that the protestors were no longer listening to Mr. Marazzo and that they had galvanized.²⁴

On February 9 at 6:55 p.m., Sergeant Le informed Staff Sergeant Ferguson that he had met with Mr. Marazzo and Eva Chipiuk, counsel to the Freedom Convoy leaders. Sergeant Le told Staff Sergeant Ferguson that Ms. Chipiuk asked if OPS would allow vehicles to move to Wellington St. if she could convince protestors to move there and provided a 9:00 a.m. on February 10 deadline for OPS to respond. On February 10 at 8:32 a.m., Staff Sergeant Ferguson sent a decision-point email to Superintendent Drummond and Superintendent Paul Burnett concerning Ms. Chipiuk's proposal.²⁵ Later that morning, Superintendent Drummond advised Staff Sergeant Ferguson that OPS command had decided not to move vehicles from the Rideau-Sussex intersection to Wellington St. due to opposition by PPS Acting Director Larry Brookson and the City of Ottawa, and that legal was involved.

At 1:27 p.m. on February 10, Staff Sergeant Ferguson participated in a briefing at NCRCC led by Superintendent Burnett.²⁶ During the briefing, Staff Sergeant Ferguson spoke on behalf of PLT. He stated that there was still a potential to relocate the vehicles from the Rideau-Sussex intersection to Wellington St. as Ms. Chipiuk had proposed on the evening of February 9. Superintendent Drummond advised Staff Sergeant Ferguson after the meeting ended that OPS command approved this proposal. PLT members attended the intersection on the afternoon of February 10 and identified 4-6 trucks that were prepared

²² *Id.* at PDF p. 42.

²³ *Id.* at PDF p. 43.

²⁴ *Id.* at PDF p. 43.

²⁵ *Id.* at PDF p. 47.

²⁶ *Id.* at PDF p. 49.



to move. However, these vehicles lost interest in moving after PLT observed a convoy participant go truck-to-truck and intimidate the drivers that were prepared to move. As OPS removed barriers to facilitate the move, a large crowd formed, blocked the movement route, and began chanting “hold the line.” No movement occurred that day, and the Rideau-Sussex intersection was not cleared until the police operation that was launched on February 18.

[Role of PLT During Superintendent Bernier’s Tenure as MIC](#)

On February 10, Superintendent Bernier replaced Superintendent Patterson as MIC. Staff Sergeant Ferguson developed a PLT plan for the February 11-13 period and asked Superintendent Drummond to share that plan with Superintendent Bernier. He also shared the National Framework with Superintendent Bernier after he became MIC.

On February 11 and 12, Inspector Beaudin discussed OPP’s efforts to negotiate with the protestors blockading the Ambassador Bridge in Windsor with Staff Sergeant Ferguson. Inspector Beaudin informed Staff Sergeant Ferguson that OPP provided the Windsor protestors a letter telling them that they needed to leave and offering them a meeting with the provincial government if they left, and that OPP also warned the protestors that there would be enforcement to remove them if they remained. Staff Sergeant Ferguson stated that these discussions would have informed the PLT plan that he was developing.

On February 13 at 9:00 a.m., Superintendent Bernier and Inspector Springer met with Staff Sergeant Ferguson and the OPP and OPS PLT. During the meeting, Staff Sergeant Ferguson reinforced that PLT needed autonomy to make decisions. Superintendent Bernier in turn informed PLT that he would be forming a command table of PLT, POU, corporate communications, and investigative representatives and that, as the ultimate decision-maker, he would seek input from everyone at the table. PLT members had an opportunity to ask questions and provide input. Staff Sergeant Ferguson stated that Superintendent Bernier communicated PLT’s role within the overall OPS plan to end the occupation, which Staff Sergeant Ferguson had previously been unclear on. Staff Sergeant Ferguson characterized the meeting as a turning point and noted that PLT’s morale improved following the meeting. After the meeting, Staff Sergeant Ferguson began attending meetings of Superintendent Bernier’s command table at NCRCC.

Staff Sergeant Ferguson observed that during Superintendent Bernier’s term as MIC, understanding and awareness of the National Framework increased across OPS. This enabled PLT to implement the National Framework. Staff Sergeant Ferguson stated that Superintendent Bernier’s term was characterized by integration at a strategic level as well as on the ground.

On February 13, Staff Sergeant Ferguson contacted Superintendent Drummond to confirm that negotiations with the City and convoy counsel were taking place. Superintendent Drummond confirmed that the counsel to the Freedom Convoy leaders,



Mr. Wilson, had reached out to City Mayor Jim Watson's office and that discussions were ongoing. Later that day, Staff Sergeant Ferguson learned that Mayor Watson and certain Freedom Convoy leaders had reached an agreement to move convoy vehicles from side streets to Wellington St. On February 14, Staff Sergeant Ferguson was engaged in attempting to facilitate the move and developed PLT messaging concerning the move.

On February 15 at 10:05 a.m., Staff Sergeant Ferguson learned that the agreement between Mayor Watson and the Freedom Convoy leaders might take a few days to implement. Staff Sergeant Ferguson and PLT's understanding was that the agreement only lasted for 24 hours and had expired at the end of February 14, so Staff Sergeant Ferguson asked Superintendent Drummond to clarify whether PLT should continue to facilitate the movement of vehicles. Superintendent Drummond informed him that the movement of vehicles would continue for a few days. Staff Sergeant Ferguson paused PLT messaging at that point and discussed whether traffic resources would be available to assist the move on February 16, as February 15 was a rest day. The movement of trucks was ultimately stopped, however, following an integrated command meeting on February 15.

On February 15 at 7:20 a.m., Staff Sergeant Ferguson participated in an integrated command meeting at RCMP headquarters.²⁷ Staff Sergeant Ferguson's notes for the meeting contain numerous bullet points under the heading "Key Messages."²⁸ Staff Sergeant Ferguson explained that these notes recorded key messages for PLT to deliver to protestors.

Staff Sergeant Ferguson recalled that Superintendent Bernier began to use PLT messaging to lay the groundwork for a public order operation on or around February 16. Staff Sergeant Ferguson recalled that he taped Superintendent Bernier's new mission statement to his notes on February 16 and that he understood that the enforcement date was approaching.²⁹ On February 16, PLT began delivering the "Key Messages" recorded in Staff Sergeant Ferguson's notes for the February 15 7:20 a.m. meeting. PLT intensified this message on February 17. PLT continued to engage with convoy participants during this period. Sergeant Le asked Staff Sergeant Ferguson why there had been a shift in focus towards enforcement, and Staff Sergeant Ferguson discussed the shift in focus with Inspector Beaudin.

On February 18, OPS, OPP, and RCMP launched a public order operation to clear the protest sites in downtown Ottawa. Immediately before the operation began, PLT delivered messaging over a loud hailer providing protestors one last opportunity to leave.

²⁷ *Id.* at PDF p. 70.

²⁸ *Id.* at PDF pp. 70-72.

²⁹ *Id.* at PDF p. 78.



By February 21, OPS, OPP, and RCMP had completed clearing the protest sites in downtown Ottawa. After this date, PLT reached out to business and residents to rebuild trust and informed them what to expect in the coming days.

Post-Freedom Convoy Changes to OPS PLT Program and Role

After the Freedom Convoy, OPS launched a trial project to have four PLT members, including Sergeant Le, work as PLT full-time rather than part-time members. Staff Sergeant Ferguson explained that the goal of the project is to minimize operational demands by focused engagement with protestors. He stated that the project recognizes that PLT is to follow the National Framework and that proactive and dedicated engagement by PLT is key to PLT's success. He explained that Staff Sergeant Peter McKenna is currently responsible for the PLT program, and that he reports to Superintendent Bernier.

Staff Sergeant Ferguson also explained that OPS has employed command structures that support PLT's work in response to subsequent events such as the Rolling Thunder protest in late April 2022 and Canada Day 2022. He noted that OPS established integrated command tables for these events with representation for subject matter experts, including PLT. He also noted that PLT had autonomy to operate during these events, and that there was increased awareness within OPS of the National Framework and the role of PLT.

Staff Sergeant Ferguson recommended that OPS update its policies that discuss the role of PLT to properly account for PLT's role. He stated that updating policies would help ensure that familiarity with the National Framework and PLT is maintained throughout OPS, including at the command and executive levels.